

# SUMMARY

## B.H.Q.A. MEETING OF MAY 10, 2006

MEMBERS PRESENT: Ben Mitchell, Susie Hamilton, Kristopher Floyd, Sandi Cole, Elizabeth Gallman, Brent Thompson

MEMBERS ABSENT: Nikki Montembeault

STAFF PRESENT: Lisa Abbott, Barry Collins, Rhonda Helms, John Hewitt, Carol Jack, Kevin Bowlen, Jo Stong, Robert Hoole

OTHERS PRESENT: Joseph Collison, John Hayes, Andrew Hanson, Joe Collison

Chairman, Mitchell called the meeting to order on 05/10/06 at 4:00 p.m.

The Summary for April 12, 2006 meeting was submitted for approval. Gallman noted that Dorothy Dowdy was not present at the April meeting. Floyd made a motion to approve the summary as amended; Gallman seconded. 5-1 [Thompson abstained]

### **OLD BUSINESS**

**200 S. Yancy Lane**, Dorothy Dowdy, 06-AA-041 Owner was not present to request relief from the rental inspection process.

Staff recommended that the Board deny the request and the property be inspected for compliance with the Property Maintenance Code by 07-08-06.

Cole made a motion to deny the request according to the staff recommendation and deadline of 07-08-06; Floyd seconded. 5-1 [Hamilton voted no]

### **NEW PETITIONS**

**101 N. Hillsdale**, Kathryn Johnson, 06-TV-059 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board deny the request to complete repairs and refer this case to the City Legal Dept. for further action.

Floyd made a motion to deny the request and refer to Legal Dept.; Thompson seconded. 6-0

**410 S. Jordan**, David Kamen, 06-V-060 Owner was not present to request a special exception to the minimum egress requirements.

Staff recommended that the Board grant an egress variance for the bedrooms with the following conditions: Single and multiple-station, hardwired smoke alarms shall be installed in the following locations and in accordance with the following criteria: 1. In each sleeping room. 2. Outside of each sleeping area in the immediate vicinity of the bedrooms. 3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. 4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. 5. Install smoke detector(s) in an approved location. If wall

mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. 6. The required smoke alarms shall received their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. 7. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. 8. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. Staff recommended a 07-10-06 deadline.

Hamilton made a motion to grant the variance with no conditions. [No second; motion failed]

Thompson made a motion to grant the variance according to the staff recommendation and conditions; Gallman seconded. 4-2 [Mitchell and Hamilton voted no]

**1317 W. 7th St.**, Audrey Hillenburg, 06-TV-061 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 07-10-06.

Floyd made a motion to grant an extension of time until 07-10-06; Hamilton seconded. 6-0

**2541 W. 3rd St.**, Joseph Collison, 06-V-062 Owner was present to request a special exception to the minimum egress requirements.

Staff recommended that the Board grant the egress variance in all three bedrooms with the following conditions: Single and multiple-station, hardwired smoke alarms shall be installed in the following locations and in accordance with the following criteria: 1. In each sleeping room. 2. Outside of each sleeping area in the immediate vicinity of the bedrooms. 3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. 4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. 5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. 6. The required smoke alarms shall received their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. 7. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. 8. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. Staff recommended a 07-10-06 compliance deadline.

Gallman made a motion to grant the variance according to the staff recommendation and the word "with" inserted prior to "the aforementioned installation requirements"; Floyd seconded. 5-0

**205 S. Clark**, John Hayes, 06-V-063 Owner was present to request a special exception to the minimum egress requirements and the minimum ceiling height requirements.

Staff reported that hardwired interconnected smoke detection has already been installed, and the owner has requested that the rental permit not be limited to a three-year permit. Staff reported that a ceiling height variance is not needed. Staff recommended that the Board grant the egress variance with the following conditions: Single and multiple-station, hardwired smoke alarms shall be installed in the following locations and in accordance with the following criteria: 1. In each sleeping room. 2. Outside of each sleeping area in the immediate vicinity of the bedrooms. 3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. 4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. 5. Install smoke detector(s) in an approved location. If wall mounted, it

shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. 6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. 7. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. 8. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. Staff recommended a 08-10-06 compliance deadline.

Mitchell made a motion to grant the variance according to the staff recommendation and conditions; Floyd seconded. Mitchell amended his motion to not limit the rental permit to a three-year permit; Hamilton seconded. 4-1 [Thompson abstained]

**1017 W. 6th St.**, Matt Murphy, 06-TV-064 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 07-14-06 to complete repairs.

Cole made a motion to grant the extension of time according to the staff recommendation; Gallman seconded. 6-0

**305 W. Coolidge**, Mark Laughlin, 06-V-065 Owner was not present to request a special exception to the minimum ceiling height requirements.

Staff recommended that the Board grant a variance for the ceiling height requirements in the living room and kitchen with the condition that no ceiling obstructions be installed that would have a minimum clearance of less than 6'6" for light fixtures, and that single and multiple-station, hardwired smoke alarms shall be installed in the following locations and in accordance with the following criteria: 1. In each sleeping room. 2. Outside of each sleeping area in the immediate vicinity of the bedrooms. 3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. 4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. 5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. 6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. 7. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. 8. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. Staff recommended a compliance deadline of 08-10-06.

Thompson made a motion to grant the variance according to the staff recommendation and conditions; Cole seconded. 6-0

**108 Club House Dr.**, Dagom Gadzn Tensung Ling, 06-V-066 Owner was not present to request a special exception to the minimum egress requirements and the minimum ceiling height requirements.

Staff reported that the bathroom ceiling height in Unit 108 did not meet the minimum requirement of seven feet, and the window in the bedroom did not meet the minimum egress requirements. Staff recommended that the Board deny the request, and replace the window in Unit 108 with a code compliant window, with the following conditions: Install multiple-station hardwired smoke alarms in the following locations: 1. In each sleeping room. 2. Outside of each separate sleeping area in the immediate vicinity of the bedrooms. 3. In each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. 4. When one or more smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over

background noise levels with all intervening doors closed. 5. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. Staff recommended a compliance deadline of 07-10-06.

Floyd made a motion to grant the variance for the bathroom ceiling height with the condition that hardwired interconnected smoke detection be installed according to the staff recommendation with the additional conditions that 6. the required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. 7. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. 8. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. Floyd recommended a 08-10-06 compliance deadline for smoke detection. Floyd made a motion to deny the egress variance and replace the window in unit 108 with a code compliant window by 07-10-06. Gallman seconded the motions. 6-0

**321 E. 14th St.**, Terra Trace Apts., 06-V-067 Owner was not present to request a special exception to the minimum egress requirements and guardrail requirements.

Staff reported that in 1986 the property was granted an egress variance for the basement bedroom windows, with the condition that a permanently affixed egress aid be installed under one window in each bedroom. Staff recommended that the Board deny the variance to the window well requirements, with the condition that all window wells be expanded to meet the 36"x36" code requirement. The property was constructed prior to the ordinance requiring dumpsters being screened and on a paved slab. Air photos show that in 1975 the dumpsters were not in the current location. If the dumpster location has changed then the owners have to meet the requirements of the ordinance. Staff recommended a deadline of 07-10-06.

Mitchell made a motion to grant a variance for the window wells and meet the City's current requirements on dumpsters by 08-10-06; Hamilton seconded. [All Board members voted no]

Cole made a motion to accept the staff recommendation and conditions, and dumpster requirements by 08-10-06; Hamilton seconded. [motion failed]

Thompson made a motion to grant the egress variance for window wells with the condition that hardwired interconnected smoke detection be installed by 08-10-06. Thompson made a motion to deny the request for screening the dumpster, and meet the requirements of the ordinance by 07-10-06. Mitchell seconded. 6-0

**2407 E. 7th St.**, Carol McGarry, 06-TV-068 Owner was not present to request an extension of time to complete repairs.

Gallman made a motion to grant the extension of time until 06-01-06; Mitchell seconded. 6-0

**1405 W. 6th St.**, All Natural Properties, 06-TV-069 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time 07-10-06, with the condition that the matter will be turned over to City Legal Dept. for possible action including, but not limited to, fines for each day of noncompliance.

Floyd made a motion to grant an extension of time according to the staff recommendation and condition; Hamilton seconded. 6-0

**1018 E. University**, Andrew Hanson, 06-V-070 Owner was present to request a special exception to the minimum egress requirements.

Staff reported that the windows in the northeast, northwest and southeast bedrooms did not meet the minimum egress requirements. The structure has recently had hardwired interconnected smoke detection installed to current code. Staff recommended that the Board grant the variance with the following conditions: Single and multiple-station, hardwired smoke alarms shall be installed in the following locations and in accordance with the following criteria: 1. In each sleeping room. 2. Outside of each sleeping area in the immediate vicinity of the bedrooms. 3. On each additional story of the dwelling, including basements and cellars but not including crawl

spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. 4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. 5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. 6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. 7. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. 8. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements.

Floyd made a motion to grant the egress variance according to the staff recommendation and that the variance will be automatically rescinded should the smoke detection be found not operating properly; Gallman seconded. 6-0

**204 E. 17th St.**, Bruce Whiting, 06-TV-071 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board deny the request and refer the case to the City Legal Department for further action.

Floyd made a motion to deny the request; Hamilton seconded. 5-1 [Thompson voted no]

**ADJOURNMENT:** Mitchell made a motion to adjourn; Hamilton seconded. Meeting adjourned at 5:25 p.m.